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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,256	03/27/2001	Koichi Nihira	1614.1156	7685
21171	7590	03/30/2006	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			JARRETT, SCOTT L	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/817,256

Applicant(s)

NIHIRA, KOICHI

Examiner

Scott L. Jarrett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)     | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 6, 2006 has been entered.

Applicant's amendment amended claims 1 and 3-12 and canceled claim 2. Currently Claims 1 and 3-12 are pending.

### ***Response to Amendment***

2. The Objection to the Title is withdrawn in response to Applicant's amendments to the Title.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1 and 3-12 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 11 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 11, Claim 11 recites a recording medium, a management device and a program (software application). Examiner requests clarification as to the statutory class the applicant is claiming as the invention. Examiner interpreted the claim to read a computer readable medium comprising computer executable instructions, which, when executed, cause a computer to perform the method steps recited for the purposes of examination.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 and 3-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gill et al., U.S. Patent No 5,984,178 in view of Vijayan, Geetha, U.S. Patent No. 6,832,341.

Regarding Claims 1 and 10-12 Gill et al. teach a method and system for collectively managing management information about a plurality of customer service devices (ATM, automated teller machines, banking machines), and managing the operations of the plurality of customer service devices (Abstract; Column 3, Lines 48-68; Column 4, Lines 1-55; Column 5, Lines 1-54; Column 8, Lines 33-42; Column 25, Lines 5-68; Figures 14, 19, 31, 32 and 56 and as shown below in Figures 1, 4, 7, 8 and 29).

More specifically Gill et al. teach that the management system comprises:

- registering (entering, inputting, setting up, installing, making available) a plurality of management information in a data store/database (Figure 4, Element 36; Figures 46-59);
- creating (entering, inputting, etc.) a plurality of actions (events) to operate each of the customer service devices, based on (by processing, reviewing, accessing, analyzing, etc.) the plurality of management information entered;

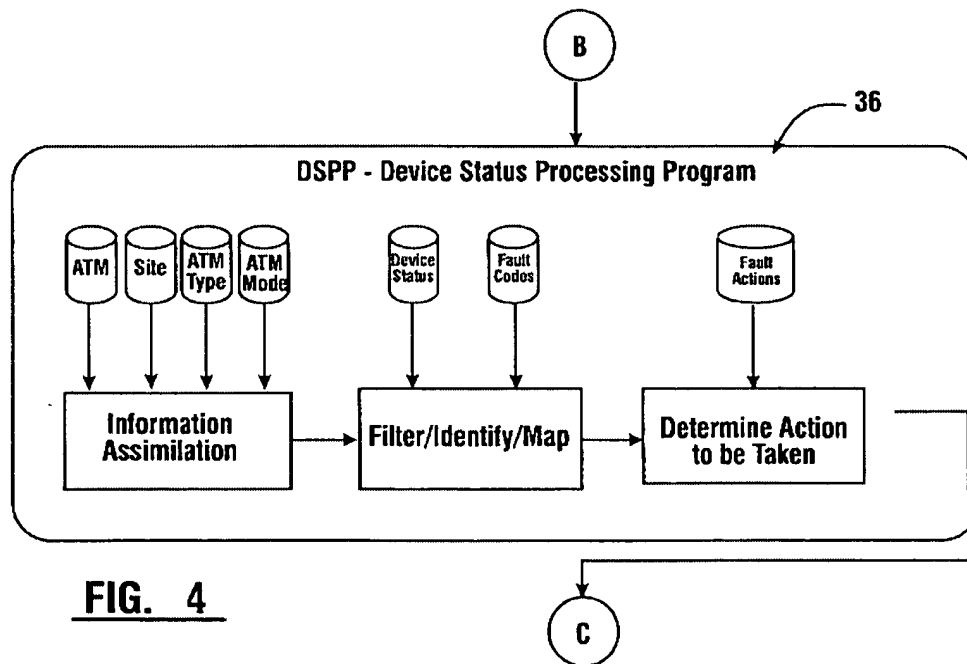
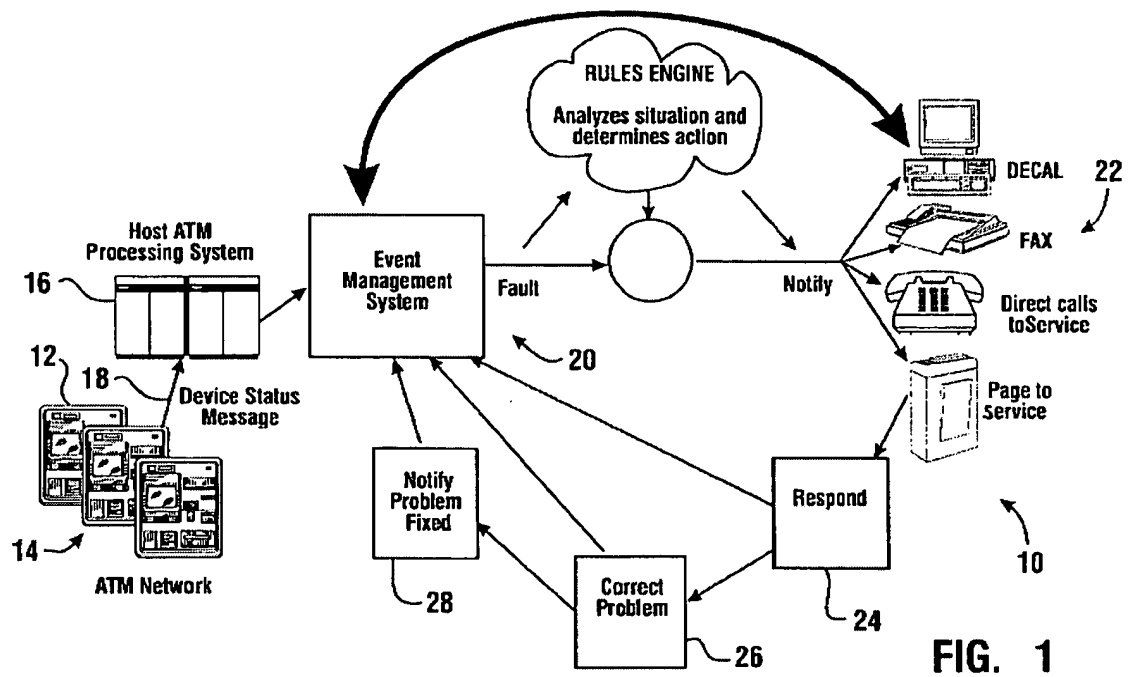
- registering (entering, inputting, setting up) a plurality of actions (procedures, action list, schedule, fault actions);
- selecting (determining, resolving, analyzing) an action by referring (reviewing, accessing, etc.) the action data (database, data store) and in accordance with supplied/received, via a network, condition information (status message, condition message, status, solicited message, unsolicited message) from each of the customer service devices (Column 11, Lines 62-68; Column 12, Lines 25-44); and
- transmitting/sending an instruction (message, notification, etc.) indicative of the action (corrective action, action list, fault action) with respect to each customer service device (Column 25, Lines 54-65; Figures 31-32)
- wherein the management information includes a plurality of information related to consumer devices, consumer device groups, assignees of management (servicers, vendors, message recipients, contacts), actions, events, schedules and a plurality of other information associated with the operation of the customer service devices (Column 4, Lines 1-55; Column 15, Lines 35-68; Column 16, Lines 1-60; Column 24, Lines 55-68; Figures 11-14, 16, 17 and 46-59; Figures 7 and 8).

More specifically Gill et al. teach that the system and method for collection managing a plurality of consumer devices analyzes a plurality of management information to determine what action (steps) to take wherein the management information includes but is not limited to: consumer device information (location, ID, etc.), customer/operator information (e.g. hours of operation, etc.) and vendor/servicer information (i.e. vendors inherently being outsourced/external service providers that

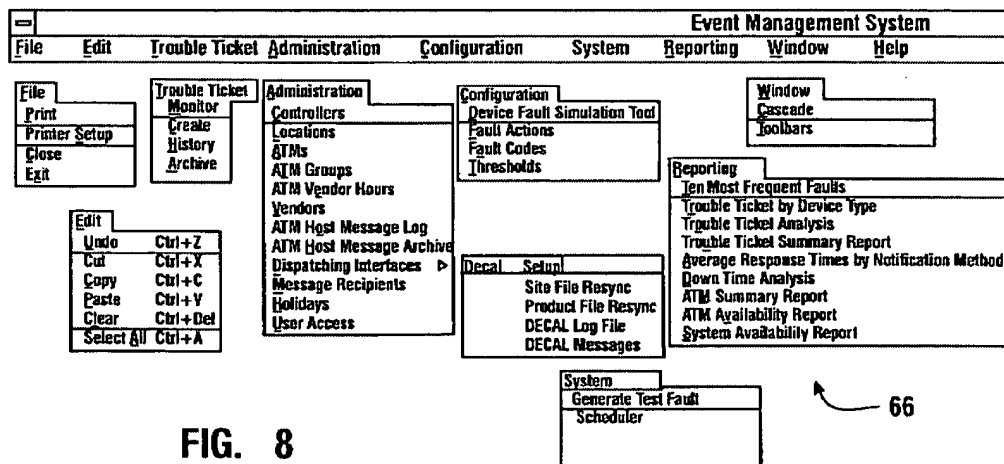
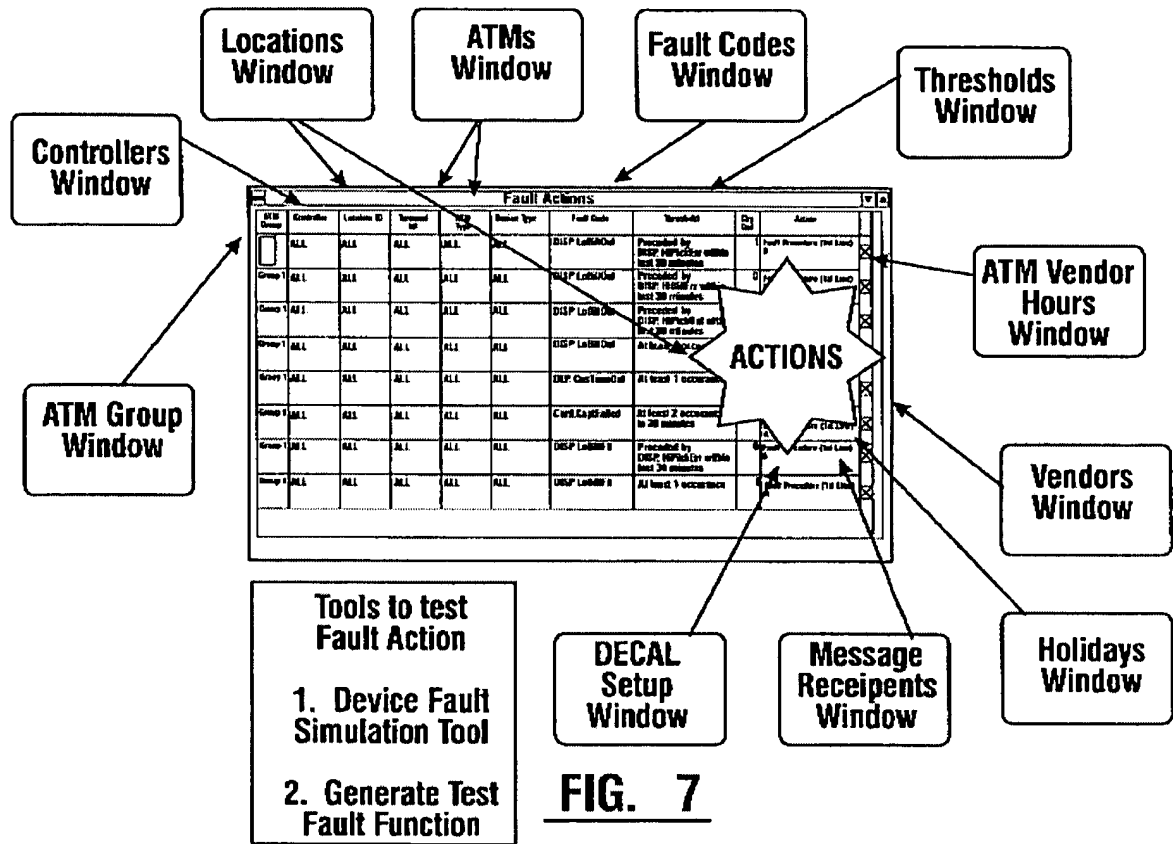
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operate under some form of *contract* (written, oral/verbal, agreement, formal, informal, promise, commitment, etc.) and *contracts* inherently include at least information regarding the parties/entities of the contract such as contact information - e.g. who to contact when a specific event occurs on a specific consumer device and by what means as in the case in Gill et al.; Column 3, Lines 1-11; Column 5, Lines 1-10; Column 24, Lines 37-48; Figure 14).

Gill et al. further teach that the management system comprises a plurality of systems (sub-systems, modules, applications, devices, etc.) including but not limited to (Figure 1; Figure 2): Automated Teller Machines, ATM Network, Host ATM processing, Event Management System, Rules Engine, Scheduler, Multi Media Reporter (MMR), Message Gateway Router (MGR) and Device Status Processing Program (DSPP) that enable the administration, maintenance and management of customer service devices.







Fault Actions									
ATM Group	Controller	Location ID	Terminal ID	ATM Type	Device Type	Fault Code	Thresholds	Chk Ord	Action
Group 1	ALL	ALL	ALL	ALL	ALL	DISP:LoBillOut	Preceded by DISP:HiPickErr within last 30 minutes	1	Fault Procedure (1st Line) B
Group 1	ALL	ALL	ALL	ALL	ALL	DISP:LoBillOut	Preceded by DISP:HiBillFit within last 30 minutes	1	Fault Procedure (1st Line) B
Group 1	ALL	ALL	ALL	ALL	ALL	DISP:LoBillOut	Preceded by: DISP:HiBillOut within last 30 minutes	2	Fault Procedure (1st Line) B
Group 1	ALL	ALL	ALL	ALL	ALL	DISP:LoBillOut	At least 1 occurrence	3	Fault Procedure (1st Line) A
Group 1	ALL	ALL	ALL	ALL	ALL	DEP:CusTimeOut	At least 1 occurrence	4	Fault Procedure (1st Line) A
Group 1	ALL	ALL	ALL	ALL	ALL	CAUD:CaplFailed	At least 2 occurrences in the last 30 minutes	5	Fault Procedure (1st Line) A
Group 1	ALL	ALL	ALL	ALL	ALL	DISP:LoBillFit	Preceded by: DISP:HiPickErr within last 30 minutes	6	Fault Procedure (1st Line) B
Group 1	ALL	ALL	ALL	ALL	ALL	DISP:LoBillFit	At least 1 occurrence	7	Fault Procedure (1st Line) A

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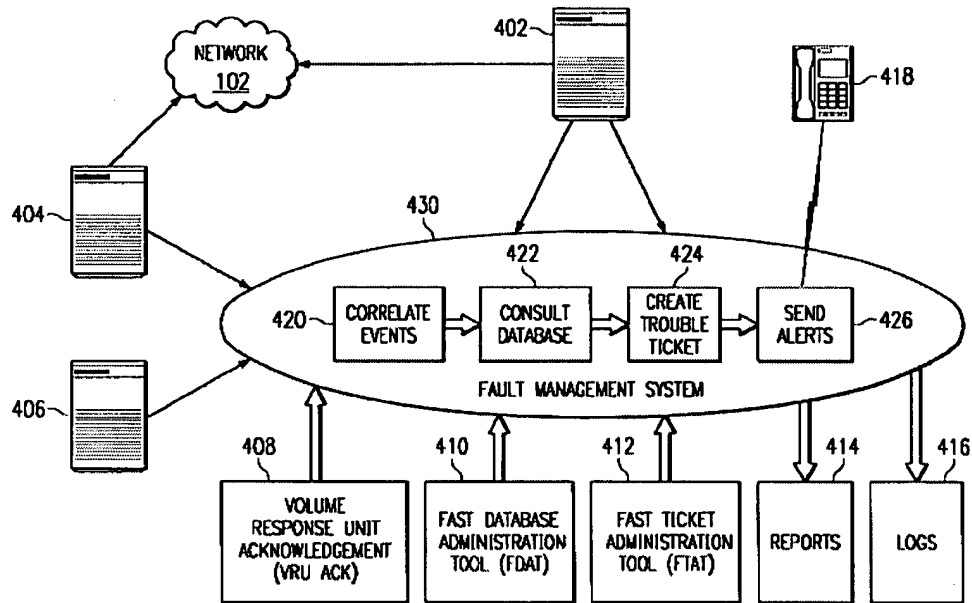
**FIG. 29**

Gill et al. does not expressly teach checking and detecting inconsistency if an event corresponding to the condition of each consumer device does not match registered event management information as claimed.

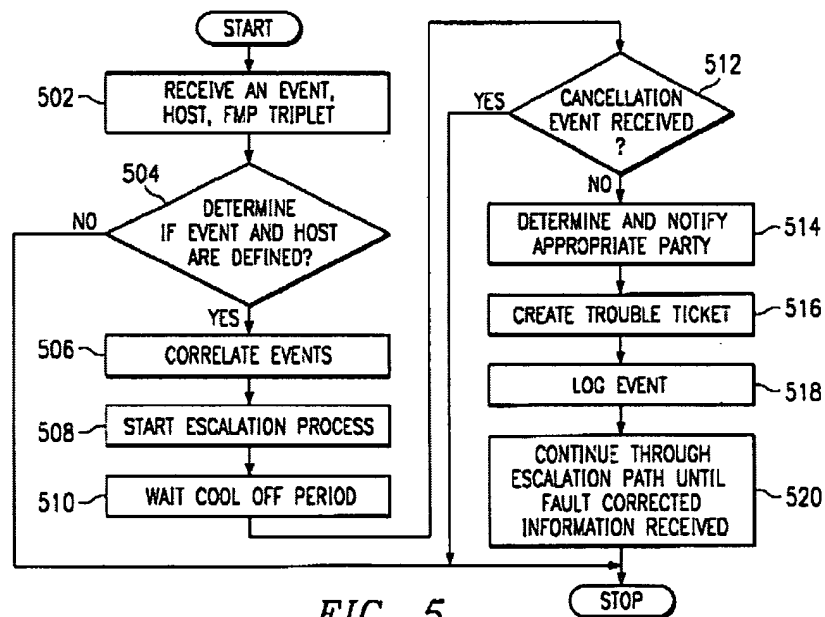
Vijayan teaches checking and detecting inconsistency if an event corresponding to the condition of each consumer device does not match registered event management information (checking/determining the validity of the event, host and fault monitoring point; Column 1, Lines 47-63; Column 6, Lines, 63-68; Column 7, Lines 1-25; Figure 5, Element 504) in an analogous art of device fault/event management for the purposes of determining how the fault/event is escalated/forwarded (Column 8, 28-42; Figure 5) as

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well as enabling the system/method to more accurately log/record unique events  
(Column 9, Lines 29-42).



FMP USAGE IN ALERT MANAGEMENT PROCESS

**FIG. 4****FIG. 5**

It would have been obvious to one skilled in the art at the time of the invention that the system and method for collectively managing management information about a plurality of consumer devices and managing the operations of the consumer devices as taught by Gill et al. would have benefited from checking and detecting inconsistency if an event corresponding to the condition of each consumer device does not match registered event management information in view of the teachings of Vijayan; the resultant system/method enabling the system/method to more accurately log/record unique events (Vijayan: Column 9, Lines 29-42).

Regarding Claims 3 and 4 Gill et al. teach that the management system further comprises creating (entering, inputting) and registering (making available to the system, associating) the action(s) corresponding to each condition for each customer device (action procedure connected to fault actions, action list, action procedure, action message, Device Status Processing Program; Column 11, Lines 50-68; Column 25, Lines 5-62; Figures 28, 29 and 31; Figures 1, 4 and 8 ).

Regarding Claim 5 Gill et al. teach that the management system further comprises (trouble tickets, responses, actions, action procedures; Column 12, Lines 33-44; Column 25, Lines 5-60; Column 37, Lines 16-60; Column 34, Lines 1-15; Column 36, Lines 53-68; Figures 26 and 31-32; Figures 4, 7 and 8):

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- selecting a customer service device corresponding to the supplied condition (status, fault, solicited message, unsolicited message, etc.) from among a plurality of customer service devices; and
- selecting (responding) the action corresponding to the supplied condition information among a plurality of actions registered for the customer service device.

Regarding Claim 6 Gill et al. teach that the management system further comprises (Column 12, Lines 33-44; Column 25, Lines 5-60; Column 37, Lines 16-60; Column 34, Lines 1-15; Column 36, Lines 53-68; Figures 26 and 31-32; Figure 4):

- receiving and judging (reviewing, filter/identify/map, deciding, determining) a plurality of types of condition information (fault codes, fault category, fault condition, fault signals, fault message) in their entirety; and
- selecting the action corresponding to the judging (filter/identify/map) from among a plurality of actions registered (available) in the system.

Regarding Claim 7 Gill et al. teach that the management system further comprises (Column 12, Lines 33-44; Column 31, Lines 1-60; Column 34, Lines 1-15; Column 36, Lines 53-68; Figures 18, 23, 25, 26 and 36):

- registering (storing, saving, logging, collecting) a plurality of information, historical and current, regarding the condition information (faults, messages, calls, trouble tickets, actions, etc.) for customer service devices; and

- selecting the action corresponding to the plurality of condition information, historical and current available (registered in the system).

Regarding Claim 8 Gill et al. teach that the management system further comprises (Abstract; Column 5, Lines 10-54; Column 9, Lines 60-68; Figures 19 and 24-26):

- instructing (requesting, requiring, contacting) a maintainer (servicer) of the plurality of customer service devices to perform a maintenance (service) operation according to the condition information; and

- receiving information about a results of the maintenance (service) operation from the maintainer (servicer).

Regarding Claim 9 Gill et al. teach that the management system enables a plurality of users (entities) to receive, send, enter, maintain and the like a plurality of information related to the operation of customer service devices. More specifically Gill et al. teach that an administrator and a maintainer (servicer, vendor) supply information to the management system (Abstract; Column 29, Lines 45-68; Column 31, Lines 45-55).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Cook, Colin, U.S. Patent No. 5,621,892, teaches a system and method for managing and monitoring (alert, event, fault) a plurality of network devices wherein device events are matched /mapped to policies/rules and result in the selection of at least one action (e.g. dispatching service providers).

- Kekic et al., U.S. Patent No. 5,999,179, teach a system and method for managing and monitoring a plurality of network devices.

- Kidder et al., U.S. Patent No. 6,715,097, teach a system and method for managing and monitoring a plurality of devices wherein the system/method "proactively take action in accordance with a defined fault policy. A fault policy based on a defined hierarchy that ensures for each particular type of failure the most appropriate action is taken."

- Kekic et al., U.S. Patent No. 6,788,315, teach a system and method for monitoring and managing a plurality of connected devices.

- Steinberg et al., U.S. Patent No. 6,966,015, teach a system and method for monitoring and managing a plurality of connected devices wherein the system/method checks for event inconsistencies in order to reduce the number/occurrence of false alarms.

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- Trignon et al., U.S. Patent No. 6,983,321, teach a system and method for managing and monitoring a plurality of connected devices in order to meet agreed upon service levels (contract terms).

- Suntech wants to put deployers in the driver's seat with ATM Direct (1997) teaches a commercial system and method for managing and operating a plurality of consumer devices based on a plurality of management information.

- Leigh, Gregg, Adding Muscle to your ATM Services (1998) teaches a commercial system and method for managing and operating a plurality of consumer devices wherein the system/method includes Diebold's event monitoring software that "manages events, routes help calls, and documents transactions so you can track the ATM service team's performance, identify problems, escalate problem job ticks automatically for resolution and produce online activity reports."

- Fuller, Wayne, Network Management Using Expert Diagnostics (1999) teach the well known and wide spread utilization of systems/methods for managing and operating a plurality of networked devices (network management) wherein the systems/methods include fault, security and accounting management. Fuller further teaches that the management systems/method validate (check for inconsistencies) of events received in order to minimize false alarms ("An important feature of effective fault detection is the ability to recognize and ignore apparent anomalies....is essential for minimizing false alarms, which tend to impact system credibility.").

- Carreker-Antinori Introduces New ATM Business (1999) teaches a commercial system and method for managing and operating a plurality of consumer devices



wherein the system/method includes fault/event monitoring and automated dispatch and escalation.

- Carreker Corporation Announces Contract with ACS for New ATM Network Monitoring and Management Software (2000) teaches a commercial system and method for managing and operating a plurality of consumer devices (eTellerManager), which includes fault/event management capabilities.

- STEL.com Web Pages (NetCoach, 1999) teaches a commercial system and method for managing a plurality of devices wherein the system manages alarms, conditions, faults and actions by "intelligently filters and correlates multiple fault messages and quickly suggests appropriate action." The Web Pages further teach that the system/method, via its fault manager subsystem, filters, suppresses and highlights events (messages, alarms, faults).

- NetCool White Paper (1999) teaches a commercial system and method for managing a plurality of devices based on a plurality of management information including but not limited to registered events, registered actions and contract/service level agreement information.


- Muller, Nathan, Focus on Open View (1995) teaches a commercial system and method for managing and operating a plurality of devices based on a plurality of management information including but not limited to registered events and actions.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
3/27/2006

  
TARIQ R. HAFIZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600